United Nations S/PV.3935

Security Council

Fifty-third Year

Provisional

3935th Meeting

Thursday, 15 October 1998, 11.30 a.m.

New York

President:	Sir Jeremy Greenstock	(United Kingdom of Great Britain and Northern Ireland)
Members:	Bahrain	Mr. Al-Dosari
	Brazil	Mr. Amorim
	China	Mr. Shen Guofang
	Costa Rica	Mr. Niehaus
	France	Mr. Dejammet
	Gabon	Mr. Dangue Réwaka
	Gambia	Mr. Jagne
	Japan	Mr. Takasu
	Kenya	Mr. Mahugu
	Portugal	Mr. Monteiro
	Russian Federation	Mr. Lavrov
	Slovenia	Mr. Türk
	Sweden	Mr. Dahlgren
	United States of America	Mr. Minton

Agenda

The situation in the Central African Republic

Second report of the Secretary-General on the United Nations Mission in the Central African Republic (S/1998/783 and Add.1)

98-86077 (E)

This record contains the original text of speeches delivered in English and interpretations of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to original speeches only. They should be incorporated in a copy of the record and be sent under the signature of a member of the delegation concerned, *within one week of the date of publication*, to the Chief of the Verbatim Reporting Service, room C-178.

The meeting was called to order at 11.50 a.m.

Expression of thanks to the retiring President

The President: As this is the first meeting of the Security Council for the month of October, I should like to take this opportunity to pay tribute, on behalf of the Council, to Mr. Hans Dahlgren, Permanent Representative of Sweden to the United Nations, for his service as President of the Security Council for the month of September 1998. I am sure I speak for all members of the Security Council in expressing deep appreciation to Ambassador Dahlgren for the great diplomatic skill with which he conducted the Council's business last month.

Adoption of the agenda

The agenda was adopted.

The situation in the Central African Republic

Second report of the Secretary-General on the United Nations Mission in the Central African Republic (S/1998/783 and Add.1)

The President: I should like to inform the Council that I have received a letter from the representative of the Central African Republic, in which she requests to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Ms. Kpongo (Central African Republic) took a seat at the Council table.

The President: The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them the report of the Secretary-General on the situation in the Central African Republic, which is contained in document S/1998/783 and addendum 1.

Members of the Council also have before them document S/1998/948, which contains the text of a draft resolution prepared in the course of the Council's prior consultations.

It is my understanding that the Security Council is ready to proceed to the vote on the draft resolution before it. Unless I hear any objection, I shall put the draft resolution to the vote now.

There being no objection, it is so decided.

A vote was taken by show of hands.

In favour:

Bahrain, Brazil, China, Costa Rica, France, Gabon, Gambia, Japan, Kenya, Portugal, Russian Federation, Slovenia, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America

The President: There were 15 votes in favour. The draft resolution has been adopted unanimously as resolution 1201 (1998).

The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 11.55 a.m.

United Nations S/PV.3936

Security Council

Fifty-third Year

Provisional

3936th Meeting
Thursday, 15 October 1998, 11.55 a.m.
New York

President:	Sir Jeremy Greenstock	(United Kingdom of Great Britain and Northern Ireland)
Members:	Bahrain	Mr. Al-Dosari
	Brazil	Mr. Amorim
	China	Mr. Shen Guofang
	Costa Rica	Mr. Niehaus
	France	Mr. Dejammet
	Gabon	Mr. Dangue Réwaka
	Gambia	Mr. Jagne
	Japan	Mr. Takasu
	Kenya	Mr. Mahugu
	Portugal	Mr. Monteiro
	Russian Federation	Mr. Lavrov
	Slovenia	Mr. Türk
	Sweden	Mr. Dahlgren
	United States of America	Mr. Minton

Agenda

The situation in Angola

Report of the Secretary-General on the United Nations Observer Mission in Angola (S/1998/931)

98-86083 (E)

This record contains the original text of speeches delivered in English and interpretations of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to original speeches only. They should be incorporated in a copy of the record and be sent under the signature of a member of the delegation concerned, *within one week of the date of publication*, to the Chief of the Verbatim Reporting Service, room C-178.

The meeting was called to order at 11.55 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in Angola

Report of the Secretary-General on the United Nations Observer Mission in Angola (S/1998/931)

The President: I should like to inform the Council that I have received a letter from the representative of Angola, in which he requests to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Carneiro (Angola) took a seat at the Council table.

The President: I welcome the Vice-Minister for Territorial Administration of Angola, General Higino Carneiro.

The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them the report of the Secretary-General on the United Nations Observer Mission in Angola, which is contained in document S/1998/931. Members of the Council also have before them document S/1998/952, which contains the text of a draft resolution submitted by Portugal, the Russian Federation and the United States of America.

I should like to draw the attention of the members of the Council to the following documents: S/1998/915, which contains the text of a letter dated 5 October 1998 from the Permanent Representative of South Africa to the United Nations addressed to the President of the Security Council, transmitting, *inter alia*, the Statement of the Summit on Angola; S/1998/916, which contains the text of a letter dated 5 October 1998 from the Representatives of Portugal, the Russian Federation and the United States of America to the United Nations addressed to the Secretary-General, transmitting a statement issued on 24 September 1998 by the Troika Foreign Ministers of the Observer States to the Lusaka Protocol and a letter dated 24 September 1998 from the Troika Foreign Ministers addressed to Mr. Jonas Savimbi; S/1998/919, which contains the text of a letter dated 1 October 1998 from the Permanent Representative of Austria to the United Nations addressed to the Secretary-General, transmitting a statement on Angola issued on 29 September 1998 by the Presidency of the European Union; and S/1998/944, which contains the text of a letter dated 12 October 1998 from the Permanent Representative of Angola to the United Nations addressed to the President of the Security Council, transmitting a letter dated 7 October 1998 from the President of the Republic of Angola.

I give the floor to the Vice-Minister for Territorial Administration of Angola, General Higino Carneiro.

Mr. Carneiro (Angola) (*spoke in Portuguese; English text furnished by the delegation*): I bring greetings, on behalf of the Republic of Angola and on my own behalf, to all representatives to the Security Council and request them to convey to their capitals the deep gratitude and profound appreciation of the Government and people of Angola for the incalculable support rendered by the international community to the peace process in my country.

The Security Council is meeting once again to vote on a draft resolution on Angola at an especially difficult juncture in the implementation of the Lusaka Protocol. As members know, the implementation of the Lusaka Protocol was suspended three months ago. The suspension of the implementation of the Lusaka Protocol is attributable to Mr. Jonas Savimbi's non-compliance with UNITA's commitments to fulfilling its side of the bargain, by acting contrary to the expectations that were raised. He and his forces struck police detachments, attacked civilians and occupied townships and other communities in the area where State administration had been restored by the Government of Unity and National Reconciliation. Approximately 100 towns were reoccupied by UNITA military personnel under Mr. Savimbi, and as a result, over 250,000 citizens are now displaced. Armed actions have recently occurred in diamond-producing areas in the northern and central part of our country, with the support of Banyamulengue rebels and Rwandan and Ugandan contingents currently concentrated in the Maquela do Zombo region after having fled from the Democratic Republic of the Congo.

On 2 September 1998, during the suspension of the implementation of the Lusaka Protocol, a core team made up of UNITA officers and other UNITA personnel decided to issue a manifesto and to oust Mr. Jonas Savimbi from the UNITA leadership. They decided, among other things, to ratify their commitment to the Lusaka Protocol. They made a commitment to abide by it and to fully honour their obligations under the Government of Unity and National Reconciliation and to the international community. This decision is an expression of their willingness to bring the Lusaka Protocol to fruition and to foster national peace and reconciliation among all Angolans. The Government of the Republic of Angola encouraged and supported the provisional leadership of UNITA in its efforts for peace and the internal democratization of that party, for the sake of the peace and well-being of all Angolans. This public position taken by my Government represents the end of the dialogue with Mr. Jonas Savimbi, and consequently, he no longer is the UNITA interlocutor in exchanges with the Angolan Government and the various Government agencies.

The Angolan Government cannot stand by in the face of the political situation ensuing from the decision made by UNITA personnel who advocate peace. Such a decision would have an impact on our national political context because of the role attributed to UNITA under the Lusaka Protocol.

The decision made by the UNITA Renovation Committee, now called the UNITA provisional political committee, was supported not only by the Government and by all peace-loving, democratic citizens of Angola but also by the Southern African Development Community (SADC) heads of State or Government at their summit meeting held on 13-14 September 1998 in Mauritius. They considered Mr. Savimbi a war criminal and a threat to the peace of all member countries and the region in general. A similar position was adopted recently at the Central African summit held in Libreville in September 1998.

We think the time has come for us to join our efforts and, through judicious action, restore to Angolans what they want most - peace. As President José Eduardo dos Santos stated in a letter to the Secretary-General dated 7 September,

> "This is the last and the best possibility and the sole path to be followed by UNITA so that we may be able to resolve the Angolan conflict".

We believe that Mr. Savimbi has wasted all the opportunities afforded him by deluding and deceiving all those who are for peace and democracy in Angola. He is isolated. He is no longer part of the process. Sanctions should be adopted to curtail his travels to other States, particularly to certain African countries. As we stated a few days ago, we do not believe the Security Council can afford to remain indifferent to non-compliance with its pertinent resolutions by certain member countries. The Council should adopt severe sanctions against States that fail to honour its decisions. It is equally important to move for more expeditious and proactive measures by the sanctions Committee so as to discourage those who try to make the Security Council sanctions a dead letter.

In order to encourage the UNITA Renovation Committee, it is important that this Council and the international community support the provisional leadership of UNITA-Renovada by strengthening its leadership role, not only to diminish Jonas Savimbi's influence on his military forces but also to de-escalate the state of war in Angola.

We believe these efforts will bear fruit only if the Lusaka Protocol agency in charge of compliance operates regularly and adopts decisions on the pending issues, the disposition of which should have occurred a long time ago. I am referring to the Joint Commission, whose job it is to watch over the situation. It is essential that it be reactivated.

With specific reference to the extension of the United Nations Observer Mission in Angola (MONUA) mandate, we would like to ratify our Government's support for its extension to December 1998 and then its gradual phasing out and total withdrawal from Angola.

Finally, we would like to express the appreciation of the Government and the people of Angola for the efforts made by MONUA, the non-governmental organizations and the United Nations family of agencies, as well as to pay tribute to all those who lost their lives for peace in Angola, particularly Maître Alioune Blondin Beye. Once again we restate the gratitude and appreciation of the Government for the role played by the recently appointed Special Representative of the Secretary-General, Mr. Issa Diallo and by the troika of observer nations, the United States of America, the Russian Federation and Portugal. We hope and pray that their efforts for peace will be crowned with success.

The President: It is my understanding that the Security Council is ready to proceed to the vote on the draft resolution (S/1998/952) before it. Unless I hear any objection, I shall put the draft resolution to the vote now.

There being no objection, it is so decided.

A vote was taken by show of hands.

In favour:

Bahrain, Brazil, China, Costa Rica, France, Gabon, Gambia, Japan, Kenya, Portugal, Russian Federation, Slovenia, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America

The President: There were 15 votes in favour. The draft resolution has been adopted unanimously as resolution 1202 (1998).

The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The Security Council will remain seized of the matter.

The meeting rose at 12.10 p.m.

United Nations S/PV.3937

Security Council

Fifty-third Year

Provisional

3937th Meeting

Saturday, 24 October 1998, 4.15 p.m.

New York

President:	Sir Jeremy Greenstock	(United Kingdom)
Members:	Bahrain	Mr. Al-Dosari
	Brazil	Mr. Amorim
	China	Mr. Qin Huasun
	Costa Rica	Mr. Niehaus
	France	Mr. Dejammet
	Gabon	Mr. Dangue Réwaka
	Gambia	Mr. Jagne
	Japan	Mr. Konishi
	Kenya	Mr. Mahugu
	Portugal	Mr. Soares
	Russian Federation	Mr. Lavrov
	Slovenia	Mr. Türk
	Sweden	Mr. Lidén
	United States of America	Mr. Burleigh

Agenda

Letter dated 11 March 1998 from the Deputy Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the President of the Security Council (S/1998/223)

Letter dated 27 March 1998 from the Permanent Representative of the United States of America to the United Nations addressed to the President of the Security Council (S/1998/272)

Report of the Secretary-General prepared pursuant to resolutions 1160 (1998) and 1199 (1998) of the Security Council (S/1998/912)

98-86179 (E)

This record contains the original text of speeches delivered in English and interpretations of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to original speeches only. They should be incorporated in a copy of the record and be sent under the signature of a member of the delegation concerned, *within one week of the date of publication*, to the Chief of the Verbatim Reporting Service, room C-178.

The meeting was called to order at 4.20 p.m.

Adoption of the agenda

The agenda was adopted.

Letter dated 11 March 1998 from the Deputy Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the President of the Security Council (S/1998/223)

Letter dated 27 March 1998 from the Permanent Representative of the United States of America to the United Nations addressed to the President of the Security Council (S/1998/272)

Report of the Secretary-General prepared pursuant to resolutions 1160 (1998) and 1199 (1998) of the Security Council (S/1998/912)

The President: I should like to inform the Council that I have received letters from the representatives of Germany, Italy, Poland and Ukraine in which they request to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Kastrup (Germany), Mr. Fulci (Italy), Mr. Wyzner (Poland) and Mr. Yel'chenko (Ukraine) took the seats reserved for them at the side of the Council Chamber.

The President: The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them the report of the Secretary-General prepared pursuant to resolutions 1160 (1998) and 1199 (1998) of the Security Council, document S/1998/912.

Members of the Council also have before them document S/1998/992, which contains the text of a draft resolution submitted by Bahrain, France, Germany, Italy, Japan, Portugal, Slovenia, Sweden, the United Kingdom of Great Britain and Northern Ireland and the United States of America.

I should like to draw the attention of the members of the Council to the following documents: S/1998/953, S/1998/962 and S/1998/993, letters dated 14, 16 and 23 October 1998, respectively, from the Chargé d'affaires *ad interim* of the Permanent Mission of Yugoslavia to the United Nations addressed to the President of the Security Council; S/1998/959 and S/1998/978, letters dated 16 and 19 October 1998 from the Permanent Representative of Poland to the United Nations addressed to the President of the Security Council and the Secretary-General, respectively; S/1998/963, letter dated 16 October 1998 from the Permanent Representative of Canada to the United Nations addressed to the President of the Security Council; and S/1998/991, letter dated 22 October 1998 from the Chargé d'affaires *ad interim* of the Mission of the United States of America to the United Nations addressed to the President of the Security Council.

The first speaker inscribed on my list is the representative of Poland. I invite him to take a seat at the Council table and to make his statement.

Mr. Wyzner (Poland): Allow me to express at the outset, Sir, my congratulations on your very effective presidency of the Security Council this month.

I am taking the floor today mainly to present the views of the Polish Chairmanship-in-Office of the Organization for Security and Cooperation in Europe (OSCE). The reason for doing so is the commitment of the organization, as a regional arrangement under the United Nations Charter, to the active pursuit of a settlement of the conflict in Kosovo. We are concerned as well at the unfolding crisis in Kosovo and its dangerous potential ramifications for peace and stability in the region and in Europe, and at the fact that the provisions of Security Council resolutions 1160 (1998) and 1199 (1998) have not been fully complied with.

The OSCE has taken the position that the solution of the Kosovo problem should be based both on respect for the territorial integrity of the Federal Republic of Yugoslavia and on the standards defined in the United Nations Charter as well as the OSCE documents. The OSCE insists that such a solution should take into account the right of the Kosovo Albanians to autonomy and significant self-government, which would be reflected in

a special status of the province within the Federal Republic of Yugoslavia.

Among the demands addressed by the OSCE to the authorities of the Federal Republic of Yugoslavia were a cessation of all repression, the initiation of talks on a peaceful resolution of the conflict, international participation in the negotiating process, acceptance of a new mission by the Personal Representative of the Chairman-in-Office for the Federal Republic of Yugoslavia, as well as the return of the OSCE long-term missions in Kosovo, Sanjak and Vojvodina. These demands were included in the OSCE Permanent Council Decision No. 218 of 11 March, which became the platform for the OSCE activities in the Kosovo crisis.

In accordance with Decision No. 218 and Security Council resolutions 1160 (1998) and 1199 (1998), the Chairmanship-in-Office undertook a number of concrete actions in cooperation with international organizations and entities, especially the United Nations, the European Union, the Council of Europe, the Contact Group and others. It is not my intention to recall on this occasion a detailed catalogue of those activities. It seems worth underlining, however, that all of them contributed to the build-up of international solidarity, which is indispensable to bringing effective pressure to bear on the authorities of the Federal Republic of Yugoslavia to change their position. In addition, in the process of implementation of resolution 1160 (1998), the Chairman-in-Office of the Organization for Security and Cooperation in Europe (OSCE), Minister Geremek, regularly forwarded to the United Nations Secretary-General reports on the situation in Kosovo and on measures taken by the OSCE in this regard. We note with satisfaction that the OSCE information inputs were utilized and included in the periodic reports of the Secretary-General to the Security Council.

A strong message sent by the Security Council in its resolution 1199 (1998) allowed for the intensification of efforts by the international community to reach a settlement of the Kosovo conflict. To mention only some of the international endeavours in this regard, I would refer to the significant activity of the North Atlantic Alliance and the Contact Group as well as the painstaking negotiations conducted by the American Envoy, Ambassador Richard Holbrooke.

Thanks to the efforts of the international community, the process of settling the Kosovo dispute entered into a new phase. In a letter to the Secretary-General dated 16 October 1998, issued subsequently as Security Council document S/1998/978, the OSCE Chairman-in-Office informed you, Mr. President, and Mr. Kofi Annan that on that same day in Belgrade he had signed an agreement between the OSCE and the Government of the Federal Republic of Yugoslavia on the establishment of the Kosovo Verification Mission. This agreement, together with the agreement on the North Atlantic Treaty Organization-Kosovo Air Verification Regime, constitutes an important step towards the development of a political framework aimed at ensuring compliance with the demands set out in resolution 1199 (1998).

In the talks with Minister Geremek, the leader of the Kosovo Albanians, Mr. Ibrahim Rugova, in spite of some reservations, welcomed the agreement and expressed the view that the Albanian community in Kosovo would cooperate with the Kosovo Verification Mission. He saw that act as an important step towards enhancing the international presence in Kosovo, which should facilitate negotiations for a political solution to the crisis; the recognition of Albanian community institutions, including local police; and deciding the future of Kosovo.

Soon after the signing of the agreement, the OSCE Chairman-in-Office dispatched to the Federal Republic of Yugoslavia a small, 15-person OSCE technical advance mission to start preparations for the Kosovo Verification Mission operation, the scope of which goes beyond previous OSCE experience. We are pleased to note that this OSCE assessment team has already visited Belgrade and Kosovo, and we also welcome the establishment of a Kosovo Verification Mission support unit in Vienna.

We believe that an effective implementation of the recently concluded agreements must be secured if the process of conflict resolution is to gain momentum. This is but the beginning of an ambitious and difficult undertaking. We are likely to face numerous obstacles and difficulties, possibly even attempts to reverse the process. That is why we must act promptly and with determination. Decisive action is called for also because of the humanitarian factor: the urgent need to avert the impending humanitarian catastrophe among the refugees which may be precipitated by the forthcoming winter.

We are disturbed by the reports of renewed fighting in Kosovo, and we urge both sides to refrain immediately from the further use of force and to search for a peaceful solution.

We trust that the draft resolution which the Security Council is about to adopt will facilitate the implementation of the agreements signed in Belgrade and, by endorsing and supporting them, help to make them effective and ensure the safety and security of international verifiers. These objectives require the direct cooperation and engagement of other organizations, which are duly foreseen in the resolution.

To conclude, let me assure you, Mr. President, that the OSCE accords priority to the question of Kosovo and will spare no effort to contribute, in cooperation with other organizations, to its peaceful resolution.

The President: I thank the representative of Poland for the kind words he addressed to me.

The next speaker inscribed on my list is the representative of Ukraine. I invite him to take a seat at the Council table and to make his statement.

Mr. Yel'chenko (Ukraine): I should like to congratulate you, Sir, on your extremely effective presidency during this month of October. I should like also to thank you and other members of the Security Council for making it possible for my delegation to take part in today's open discussion.

The developments in and around Kosovo continue to command the constant attention of the whole world, bringing new challenges to, and hopes for, a peaceful settlement of this internal conflict.

Our delegation strongly believes that the new Security Council draft resolution — which is to be adopted, quite symbolically, on United Nations Day — will become yet another sign of the deep concern of the international community, which is willing to do everything possible to facilitate the efforts of the parties to the conflict to find a peaceful solution to the problem of Kosovo by civilized political means, to avert a humanitarian crisis and to defuse the existing threat to peace and security in the region.

In our view, this draft resolution can be seen as sending yet another serious signal to the parties to the conflict as to the real possibility of unavoidable repercussions for them unless the perpetration of acts of violence against the civilian population and terrorist activities are stopped.

We note with satisfaction the declared readiness of the leadership of the Federal Republic of Yugoslavia to comply with Security Council resolutions 1160 (1998) and 1199 (1998), and we welcome the concrete measures undertaken by the Yugoslav authorities to this end.

Ukraine also welcomes the signing on 16 October 1998 of the agreement between the Federal Republic of Yugoslavia and the Organization for Security and Cooperation in Europe (OSCE) permitting the OSCE to establish a verification mission in Kosovo, as well as the agreement between the Federal Republic of Yugoslavia and the North Atlantic Treaty Organization (NATO) concerning the Air Verification Mission over Kosovo, which complements the OSCE Verification Mission. We commend the energetic efforts in this regard by the Chairman-in-Office of the OSCE, as well as the tireless efforts of the United States Special Envoy, Mr. Holbrooke.

I take this opportunity to reiterate my country's interest in expediting the settlement of a dangerous crisis situation in the region by political means, with the involvement of respective multilateral mechanisms, and on the basis of a peaceful dialogue, the principal elements of which should be recognition of the sovereignty and territorial integrity of the Federal Republic of Yugoslavia, respect for the human rights of all people residing in Kosovo and a possible solution to the problem of Kosovo on the basis of expanding its autonomy.

As the Ministry for Foreign Affairs of Ukraine noted in its statement on 15 October 1998, while "understanding the motivations of NATO's decision of 13 October 1998 on the possibility of the use of military force in Yugoslavia", we are still very hopeful that the latest steps of the Federal Republic of Yugoslavia leadership as to the implementation of Security Council resolution 1199 (1998) will make it possible to avert the use of force, because it could lead to unpredictable consequences.

Being an active participant in the settlement of the conflict in the territory of the former Yugoslavia since its very outbreak, Ukraine reaffirms its readiness to delegate its representatives to the OSCE Verification Mission in Kosovo and to join the international mediation efforts. We hope that our sincere intention to nominate an eligible candidate to head this Mission, declared well before this endeavour had been put in place, will be duly appreciated by the members of the Security Council.

These days, while striving to achieve a peaceful solution in Kosovo, the international community is

demonstrating an unprecedented pattern of cooperation, in particular between the United Nations and relevant regional organizations. We believe that this pattern could serve as a practical model for the efficient interaction of all interested parties in the prevention of potential conflicts in the future and their resolution should they occur.

In conclusion, I would like to reiterate my country's willingness and determination to contribute its utmost to the resolution of the Kosovo problem.

The President: I thank the representative of Ukraine for his kind words addressed to me.

It is my understanding that the Council is ready to proceed to the vote on the draft resolution before it. Unless I hear any objection, I shall put the draft resolution to the vote.

There being no objection, it is so decided.

I shall first give the floor to those members of the Council who wish to make statements before the voting.

Mr. Al-Dosari (Bahrain) (*interpretation from Arabic*): My delegation would like at the outset to commend the strenuous efforts that were made so that we might have this draft resolution in its present form today. Many concerns raised by members of the Security Council have been dealt with by the sponsors of the draft resolution, with the result that the present text, which may be described as more balanced than before, has emerged.

The draft resolution that we are discussing is one of the international efforts designed to settle the Kosovo crisis by peaceful means. It is not rational for the international community to turn a blind eye to all the violent actions and violations that are daily committed in Kosovo resulting in many innocent civilians falling victim to those acts. The measures taken by the Belgrade authorities through signing agreements with regional organizations — on 15 October with the North Atlantic Treaty Organization (NATO) and on 16 October with the Organization for Security and Cooperation in Europe — are steps in the right direction. We hope that these steps will be followed by others that would give evidence of good intentions. The other steps that we believe are necessary should be represented by an immediate ceasefire and halting all the violations that are being committed daily, as well as the adoption of appropriate measures to punish war criminals by extraditing them to the International Criminal Tribunal for the Former Yugoslavia so that they can be tried with a view to their receiving their just punishment.

At the same time, it is necessary that the two parties should begin a constructive, unconditional dialogue leading to agreement on all matters and issues that have yet to be resolved. On the other hand, the question of displaced persons and refugees is also very pressing. The Belgrade authorities are duty bound to find the proper solution for it, by creating a favourable and adequate environment so that these people can return to their homes.

The winter season is about to begin and its spells of frost are fast approaching. There are thousands of refugees without shelter. Statistics indicate that there are 250,000 refugees, of whom 50,000 had their homes destroyed, as a result of the recent violence. We believe that with a strong and sincere will, it would be possible for the Federal Republic of Yugoslavia, in cooperation with the relevant international organizations and bodies, to settle this question with the requisite speed.

In conclusion, my delegation hopes that the adoption of the draft resolution before us will send a clear signal to all the parties to the conflict to put down their arms and be guided by the language of reason, logic and dialogue. In this context, my delegation sponsored the draft resolution and will vote in favour of it.

Mr. Soares (Portugal): The situation in Kosovo is of great concern to the international community. The Council, through its resolutions 1160 (1998) and 1199 (1998), has given a clear response to this concern, of which the draft resolution before us is a logical extension.

We welcome the agreements that have been concluded with the Federal Republic of Yugoslavia to address the critical situation in Kosovo. The draft resolution seeks to ensure that these agreements will be implemented in full. This is, in fact, the number one priority of the draft resolution on which we are about to vote: the endorsement by the Security Council of the North Atlantic Treaty Organization (NATO) and Organization for Security and Cooperation in Europe (OSCE) agreements regarding verification of the commitments that the Government of the Federal Republic of Yugoslavia has made — namely, to take measures to prevent a humanitarian catastrophe, to end the violence against civilians in Kosovo, to allow the return of refugees and displaced persons and to initiate

and maintain a dialogue with the Kosovo Albanian community, with a view to finding a political solution to the problems of Kosovo.

Portugal welcomes the readiness of NATO and the OSCE to provide the necessary verification regimes and believes that the Security Council should send, through this draft resolution, a strong signal of support for these Verification Missions and indicate that the safety and security of those unarmed personnel on the ground must never be compromised.

This draft resolution also represents an unambiguous expression of the Council's belief that it is up to the Government of the Federal Republic of Yugoslavia to implement those agreements in full and comply fully with Security Council resolutions.

Mr. Niehaus (Costa Rica) (*interpretation from Spanish*): Costa Rica has consistently and firmly continued to condemn attacks against the Albanian civilian population in Kosovo, the violation of that population's most fundamental rights and the savage destruction of unarmed small towns and hamlets. Time and again, we have expressed our repudiation of the policy of ethnic cleansing undertaken by the authorities of Serbia and the Federal Republic of Yugoslavia. We are in favour of an international position of political firmness vis-à-vis the Belgrade Government.

In the face of the suffering of the Kosovo population, my delegation voted in favour of Security Council resolutions 1160 (1998) and 1199 (1998). Through these resolutions, we demanded that the Federal Republic of Yugoslavia and the authorities of the Albanian community in Kosovo enter into dialogue without any preconditions, with a view to putting an end to the crisis and finding a negotiated political solution to it. Moreover, we have demanded that the Yugoslav authorities cease all military action in Kosovo which affects the civilian population and that they withdraw all security forces which are being used to repress that population.

Hence, we cannot fail to express our satisfaction at the signing last 16 October of an agreement between the Chairman-in-Office of the Organization for Security and Cooperation in Europe (OSCE) and the Minister for Foreign Affairs of Yugoslavia, with the purpose of establishing a verification mission in Kosovo entrusted with the monitoring of compliance with the demands stipulated in resolutions 1160 (1998) and 1199 (1998), as well as the commitments agreed to by the Yugoslav authorities to comply with the terms of such resolutions. We believe that the Verification Mission will be a key instrument in guaranteeing the peace process in Kosovo, in preventing new violations of human rights and for international humanitarian law in the region.

Thus, the delegation of Costa Rica believes that it is necessary and indispensable for the Security Council to authorize the dispatch of an international observer mission to verify compliance with the obligations agreed to by the Yugoslav authorities in the 16 October agreement.

Moreover, no longer is this question merely a political one. What we have here is a moral and ethical imperative for the international community. Inasmuch as this moral objective leaves no room for doubt, and in that an international presence in Kosovo would take on a high moral character, Costa Rica would never fail to lend its support to a multilateral action aimed at such a noble purpose. That is why we are supporting the draft resolution we have before us.

Nevertheless, having said this, we would like to state some of our misgivings, which are of a legal nature, with regard to certain aspects of this draft resolution. A goal such as this one, which is ethically and morally unquestionable, deserves to be achieved by means of international law. We are not objecting to the goal of the draft resolution, but to its form and lack of clarity, in light of our firm position on absolute respect for international law and the tenets of the Charter.

We believe that any Security Council resolution must be strictly in keeping with international law and with a sound political concept. The adoption of any measure which implies the use of force or military troops must meet all the legal, political and strategic requirements of the Charter and be based on practical experience. Any action which implies the use of force — with the very limited exception of the right of legitimate defence — thus requires clear authorization by the Security Council for each specific case.

We believe these principles to be implicit in the primary responsibility of the Security Council with respect to the maintenance of international peace and security and in the absolute prohibition of the use of force in international relations. The Security Council cannot, nor should it, transfer to others or set aside its primary responsibility for the maintenance of international peace and security. For this reason, we do

not believe that the Security Council should, in any case, authorize missions with military troops whose limits and powers are not clearly pre-established or whose mandate may be conditioned to the subsequent decision of other organs or groups of States.

The Security Council alone can determine whether there has been a violation of its resolutions, adopted in the exercise of its mandated powers. Only the Security Council can authorize the use of force to ensure compliance with its resolutions, in exercise of its primary responsibility for the maintenance of international peace and security.

I wish to conclude by repeating that these comments on the law will not stand in Costa Rica's way to lending its support for the draft resolution before us, bearing in mind its profound ethical and humanitarian meaning.

Mr. Lidén (Sweden): A month ago the Security Council adopted resolution 1199 (1998) on the situation in Kosovo. The resolution spelled out a number of specific demands, particularly on the Federal Republic of Yugoslavia, but also on the Kosovo Albanian leadership. The purpose of the resolution was, and remains, clear: to halt an impending humanitarian disaster, to allow refugees to return to their homes and to set the stage for a negotiated political solution.

These objectives remain to be met. The number of refugees is still alarmingly high as winter is approaching. Most of the Federal Republic of Yugoslavia troops and special police that need to withdraw have not yet done so. And the political negotiations between the parties on the future status of Kosovo need to be accelerated.

With the agreements reached between the Federal Republic of Yugoslavia and the Organization for Security and Cooperation in Europe (OSCE), and the Federal Republic of Yugoslavia and the North Atlantic Treaty Organization (NATO), the basis has been laid for the international community to verify compliance with Security Council resolutions 1199 (1998) and 1160 (1998). Sweden welcomes these agreements and has begun recruiting personnel for the OSCE Verification Mission in Kosovo. We highly appreciate the efforts by the Contact Group and by Mr. Holbrooke, which paved the way for these agreements. At the same time, it is obvious that Yugoslav acquiescence could be achieved only through strong pressure, in which NATO planning played an important role.

It is essential for the continued efforts of the international community in Kosovo that the Security Council now give its full endorsement to the OSCE and NATO Verification Missions. In the draft resolution before us, the Council also sends a clear message to President Milosevic and to the Kosovo Albanians that it expects full and unequivocal cooperation with the Missions. I trust that the Council will not fail to act — and act with appropriate firmness — if such cooperation is not forthcoming. The Missions have an essential role to verify that the resolutions of the Security Council are respected and implemented. They deserve our full support.

Mr. Türk (Slovenia): The situation in Kosovo has been giving rise to legitimate international concern for quite some time now. Serious violations of human rights have been reported for decades and the armed conflict in recent months has triggered a wave of expressions of concern from the neighbouring States and the international community at large. During the summer months this year, the situation in Kosovo deteriorated severely. The number of refugees and internally displaced persons has become alarming. Those who suffered most were and continue to be innocent civilians. The approaching winter could have devastating and catastrophic effects.

Furthermore, the conflict in Kosovo constitutes a serious threat to international peace and security and can have a dangerous spillover effect in the region. As such, it cannot be considered as an internal affair of the Federal Republic of Yugoslavia.

We commend the tireless efforts of humanitarian organizations to bring assistance to the people in need in Kosovo, even at the risk of the lives of their own personnel. At the same time, we share the views expressed repeatedly by the United Nations High Commissioner for Refugees, Mrs. Sadako Ogata, that humanitarian assistance alone will not be an answer to the conflict in Kosovo, but can only alleviate human suffering until a political solution has been found.

Therefore, Slovenia welcomes the agreement reached between Ambassador Richard Holbrooke and President of the Federal Republic of Yugoslavia Slobodan Milosevic and agreements between the Federal Republic of Yugoslavia and the Organization for Security and Cooperation in Europe (OSCE) and the North Atlantic Treaty Organization (NATO), respectively. We consider

those agreements as a possible first step towards a lasting solution of the Kosovo question.

We expect that the Federal Republic of Yugoslavia and its authorities shall implement the accepted commitments immediately and in full. Furthermore, there is an urgent need for the authorities of the Federal Republic of Yugoslavia and the Kosovo Albanian leadership to enter into a meaningful dialogue without preconditions and with international involvement. This is the only way to devise a political solution for the Kosovo question.

The draft resolution that we are about to take action upon today not only endorses the agreements signed in Belgrade on 16 October 1998, but also demands their full implementation. The Security Council is thus assuming its responsibility for international peace and security under the Charter and reacting to a humanitarian catastrophe with dangerous implications for international peace and stability.

Slovenia strongly supports all efforts of the international community aimed at finding a peaceful and political solution to the Kosovo problem. We will continue to actively support those efforts. I am pleased to mention that Slovenia will respond to the appeal of this draft resolution and provide personnel and technical logistical support for the OSCE Verification Mission in Kosovo.

It goes without saying that Slovenia, as a sponsor, supports the draft resolution and will vote in its favour.

Mr. Mahugu (Kenya): The recent developments towards a negotiated solution of the conflict in Kosovo are encouraging. In this regard, Kenya would like to welcome the agreement signed in Belgrade on 16 October this year by the Minister of Foreign Affairs of the Federal Republic of Yugoslavia and the Chairman-in-Office of the Organization for Security and Cooperation in Europe (OSCE) providing for the OSCE to establish a verification mission in Kosovo. We particularly welcome the undertaking of the Federal Republic of Yugoslavia to comply with resolutions 1160 (1998) and 1199 (1998).

This notwithstanding, my delegation would like to emphasize, as we have on previous occasions, that the Government of the Federal Republic of Yugoslavia bears the primary responsibility for the well-being and security of all its citizens.

It is unfortunate that civilians became the target of conflict in Kosovo. As a result, the destruction that the conflict has left behind has had a great effect on the civilians. This is reflected in the estimated cumulative displacement of over 200,000 persons at the height of the conflict. In addition, about 50,000 persons have been forced from their homes into the woods and mountains. Against this background, it is very unfortunate that the authorities of the Federal Republic of Yugoslavia have always minimized the extent of the conflict.

We would like to commend all the humanitarian organizations that have strived to provide assistance to the people of Kosovo under very difficult circumstances. In this regard, we welcome paragraph 13 of the draft resolution, which, *inter alia*, urges Member States and others concerned to provide adequate resources for humanitarian assistance in the region.

The draft resolution before us today takes a comprehensive approach to the question of Kosovo and addresses the obligations of both parties in the resolution of the conflict. It provides a good basis for a durable solution to the crisis. My delegation will therefore vote in favour of the draft resolution.

Mr. Jagne (Gambia): The appalling humanitarian situation in Kosovo has been haunting the collective conscience of the international community for some time now. It cannot be gainsaid that the present situation is a result of the wider underlying political problems that have plagued the area for so long. The key to a lasting settlement lies in the resolution of these problems. It was in that spirit that resolution 1160 (1998) was adopted.

It is saddening to note that, contrary to the expectations placed in the adoption of that resolution, the situation on the ground did not improve at all. Instead, the humanitarian and human rights situation deteriorated to an alarming extent. As was so aptly described by one of our colleagues, the resolution was thrown back into the face of the Security Council. This is why the latter was left with no option but to take a tougher stance.

A resolution with teeth was needed, and therefore resolution 1199 (1998) was adopted. This is diplomacy with some backbone, without which the entire situation would have led to disaster by now. Without being overly optimistic, we can say that common sense appeared to have prevailed, leading to the signing in Belgrade of the agreements to establish verification missions in Kosovo. This is what the draft resolution before us is all about, basically. Over and above that, however, it paves the way for a negotiated settlement, provided that the parties

concerned are ready to cooperate, and we urge them to strike while the iron is hot.

As it is a balanced text, incorporating as much as possible the concerns of everybody, my delegation will vote in favour of the draft resolution.

Mr. Konishi (Japan): My delegation will vote in favour of the draft resolution before us, which endorses the agreements signed in Belgrade between the Federal Republic of Yugoslavia and the Organization for Security and Cooperation in Europe (OSCE) and between the Federal Republic of Yugoslavia and the North Atlantic Treaty Organization (NATO), on 16 and 15 October, respectively, concerning the verification of compliance by the Federal Republic of Yugoslavia and all others in Kosovo with the requirements of the Council's resolution 1199 (1998).

The situation in Kosovo remains serious. Japan is especially concerned over the humanitarian situation, in view of the winter which has almost arrived in that region.

In order to improve such a grave humanitarian situation and to pursue the political settlement of the Kosovo crisis, the authorities in Belgrade, especially President Milosevic himself, must comply swiftly and fully with the commitments contained in the relevant resolutions of the Security Council, which include cessation of hostilities, withdrawal of security and military forces, unimpeded access of humanitarian workers, cooperation with The Hague Tribunal, facilitation of the return of refugees and displaced persons, and commencement of a meaningful dialogue with the Kosovo Albanian leadership. My Government believes that the verification missions which are to be established will play a significant role in ensuring compliance with those commitments.

On the other hand, we should stress that the leadership and all other elements of the Kosovo Albanian community are also bound to comply with the provisions contained in the resolutions of this Council. My delegation believes that the Kosovo Albanians would be making a grave error if they were to interpret the messages being sent not only from this Council but also from other parts of the world as signs of support for their terrorist actions or for their demand to gain independence for Kosovo.

A settlement of the crisis in Kosovo must be pursued by political and peaceful means. This is the basic position of Japan. My country greatly appreciates the various efforts made in that direction by the international community, in particular by the Contact Group countries.

In order to participate in those international efforts, the Government of Japan decided in August to extend its humanitarian assistance through the Office of the United Nations High Commissioner for Refugees (UNHCR) and the International Committee of the Red Cross (ICRC) in the amount of $2.31 million in response to the United Nations Consolidated Inter-Agency Appeal. In September my Government dispatched a mission to work on the ground for the purpose of conveying to the parties concerned our position on the peaceful resolution of the crisis and of studying the possibility of a further contribution by Japan. Yesterday, 23 October, based upon the results obtained by that mission and in response to that renewed United Nations Consolidated Inter-Agency Appeal, my Government announced its new contribution, totalling $7.3 million, through UNHCR, the World Food Programme (WFP) and the United Nations Children's Fund (UNICEF) and other agencies.

Finally, I should like to express the readiness of my country to continue to contribute in various ways to the settlement of the problems in Kosovo and our sincere hope and conviction that the Verification Missions of the Organization for Security and Cooperation in Europe and the North Atlantic Treaty Organization will discharge their tasks successfully.

Mr. Dangue Réwaka (Gabon) (*interpretation from French*): The duty of solidarity urged on us by the United Nations Charter implies, especially with regard to situations in which human lives are at risk, that our global Organization is able to act promptly in order to contain threats or to extend the necessary assistance when such threats cannot be contained in time.

For several months the Federal Republic of Yugoslavia has been fighting a secessionist movement in the province of Kosovo that has not hesitated to engage in terrorist acts — acts that are therefore deserving of condemnation. The reprisals that ensued are, in the unanimous opinion of international observers, abominations without parallel. Thousands of homes in many villages have been destroyed by indiscriminate bombardments or by fires set deliberately, forcing hundreds of thousands of women, old people and children to scatter throughout the countryside or to cross borders in search of refuge in neighbouring countries.

All of these excesses have not only caused panic and disarray among the civilian population, but have further worsened the situation in Kosovo, creating the risk, as winter approaches, of a real humanitarian catastrophe.

What should be done? While it is true that this is an internal matter of the Federal Republic of Yugoslavia, it is equally true that the members of the international community, and particularly the United Nations, have a duty and a moral obligation to provide assistance and relief, and to do so without distinction.

We believe that this spirit of solidarity must be demonstrated in similar situations throughout the world. If we act otherwise, will we not be failing to shoulder our responsibilities under the Charter?

For our part, we welcome the tireless efforts that United States and European leaders and the Organization for Security and Cooperation in Europe (OSCE) have made, and are continuing to make, with a view to restoring peace and stability throughout Central and Eastern Europe. Recently, on 16 October, thanks to the perseverance and skill of the United States envoy, Ambassador Richard Holbrooke, those efforts resulted in the conclusion of an agreement authorizing, *inter alia*, an international verification mission in Kosovo.

Once again diplomacy, which is to say dialogue and negotiation — in other words, peaceful means — has prevailed. As a matter of principle, that is the approach that we most strongly support for the settlement of disputes, both internal and external.

That having been said, experience has shown that the safety of the personnel of missions and humanitarian organizations has often been threatened. We can no longer allow such personnel to be subjected to aggression by the parties to the conflict. That is why the text under consideration contains precautions to prevent such occurrences.

Impelled by all these considerations, my delegation will vote in favour of the draft resolution.

Mr. Amorim (Brazil): Kosovo has become the focus of the same pattern of ethnic violence that has already shattered countless lives throughout the region. Once again, outrage bred by ethnically induced aggression is fuelling radicalism. Once again, the responsibility for having allowed violence to be disseminated falls heavily, although not exclusively, on the leadership of the Federal Republic of Yugoslavia. The Security Council has been trying to articulate a consensus capable of preventing localized clashes from degenerating into a more serious and widespread conflict, even as thousands of civilians are the victims of harassment and dislocation. Resolutions 1160 (1998) and 1199 (1998) were clear signals. The agreements laboriously achieved through diplomacy have now set the stage for a process of reconciliation that should lead to greater autonomy for Albanian Kosovars.

Brazil supports those agreements and remains committed to a peaceful solution to the Kosovo crisis. Our repudiation of all forms of sectarian intolerance requires no elaboration; neither does our adherence to democratic pluralism, with full protection for the rights of minorities. We sincerely hope that a new chapter is being opened in the history of the Federal Republic of Yugoslavia which will allow its social fabric to heal from the traumas of a decade. In order to ensure compliance with the terms and conditions that have been formally accepted, the international community must remain vigilant. In order for the first positive indications to be consolidated into a stable process of confidence-building, adequate pressure remains necessary.

A difficult negotiating process has prevented the Security Council from moving more rapidly on Kosovo after the agreements reached between the Federal Republic of Yugoslavia on the one hand, and the Organization for Security and Cooperation in Europe (OSCE) and the North Atlantic Treaty Organization (NATO) on the other. In its attempt to reach a consensus, the Security Council has often been caught between two opposing tendencies. Some have argued that the Council's role at this stage should not go beyond a mere endorsement of those agreements; others argued in favour of exerting as much pressure as possible, if need be without a clear reference to the Council's prerogatives under the Charter. Of particular concern was the possibility that the Council might be transferring to other organizations its essential role in making the determination on whether or not its resolutions are being complied with.

We believe that before it becomes sufficiently clear that the trend of the past few months has been reversed in Kosovo, the Council cannot allow itself to be seen as showing complacency about non-compliance or even incomplete compliance with its resolutions.

But another important issue is also at stake here, one that transcends the confined limits of Kosovo. We do not

wish to raise the question of how regional groups define themselves — which is something for them to decide. As a Member State of the United Nations, however, it is our right — and, indeed, our duty — to defend the Charter. According to the Charter, non-universal organisms may resort to force only on the basis either of the right to legitimate self-defence, as stipulated in Article 51, or through the procedures of Chapter VIII, in particular Article 53, which imposes on them the obligation of seeking Security Council authorization beforehand and abiding by the Council's decision. *Tertius non dato*. There is no third way.

The integration of non-universal organizations into the wider collective security concept enshrined in the Charter is a serious matter. After having witnessed the rebirth of multilateralism at the end of the cold war, it would be regrettable if we were to slide into a two-tiered international system — a system in which the Security Council would continue to bear primary responsibility for the maintenance of peace and security in most of the world, while it would bear only secondary responsibility in regions covered by special defence arrangements.

After having witnessed certain disturbing signs which would point to a weakening of the Security Council's authority and after long discussions, we note with reassurance that the primary responsibility of the Security Council for the maintenance of international peace and security is reaffirmed. We are glad — and, indeed, grateful to the sponsors — that our suggestions to have a preambular paragraph on this matter was taken on board.

In the light of this reaffirmation and of other changes which satisfied our basic concerns, we will be voting in favour of the draft resolution before us. We would also like to note the helpful assurances given by the sponsors during the informal consultations.

We have finally come to what can be considered an acceptable text. It reconciles a strong political message in accordance with moral and ethical imperatives with what we view as the necessary regard for international law and the United Nations Charter. There can be no more auspicious date than 24 October, when we celebrate the anniversary of the entry into force of the United Nations Charter, to join in the reaffirmation of our respect for its provisions.

Mr. Lavrov (Russian Federation) (*interpretation from Russian*): In the development of the situation in the Serbian region of Kosovo, Federal Republic of Yugoslavia, a new, important stage has been reached, opening up prospects for a political solution of the Kosovo problem. Thanks to the energetic coordinated efforts of the members of the Contact Group, a real possibility has emerged to stabilize the situation in and around Kosovo. As is well known, Russia has been playing an active role in these developments. I should like to recall that, during the recent visit to Belgrade of the Russian Minister for Foreign Affairs and Defence, the Yugoslav leadership agreed, in principle, to accept a mission of the Organization for Security and Cooperation in Europe (OSCE). The understandings reached by Ambassador Holbrooke, the representative of the Contact Group, with President Milosevic of the Federal Republic of Yugoslavia and the agreements signed on that basis regarding the dispatch of missions to verify the fulfilment by Belgrade and the Kosovar Albanians of the requirements of Security Council resolution 1199 (1998) have created important conditions for progress towards a peaceful, lasting resolution of the conflict in Kosovo on the basis of strict respect for the territorial integrity of the Federal Republic of Yugoslavia. Russia fully supports the Belgrade agreements. We call upon Belgrade to implement them fully, and we intend to play a most active role in the OSCE Verification Mission in Kosovo.

There has clearly been some progress in Belgrade's fulfilment of the requirements contained in Security Council resolutions 1160 (1998) and 1199 (1998). Offensive operations and repressive actions against the civilian population have been ended. The withdrawal of the units of Serbian security forces and of the Yugoslav army to their permanent stations, including outside Kosovo, is continuing. Cooperation between the Serb and Yugoslav authorities and international humanitarian organizations is expanding. The unimpeded access of those organizations to the people in need of assistance is being secured, as is the necessary freedom of movement of international personnel in the territory of Kosovo. These positive shifts have been witnessed, in particular, by the group of diplomatic observers from countries of the European Union, Russia and the United States working in the region. At the same time, much still remains to be done.

The task of the political resolution of the Kosovo problem has always been, and remains, the sole strategic objective of the Contact Group. Even though differences of opinion have sometimes arisen among its members, those differences relate to tactics and methods for moving towards that objective. To some extent, differences of tactical approach also emerged when we were agreeing

on the draft resolution that is before us. We are satisfied that in the final analysis, the approach of continuing joint efforts within the framework of the Contact Group in the interests of the peace and stability of the region has prevailed.

Enforcement elements have been excluded from the draft resolution, and there are no provisions in it that would directly or indirectly sanction the automatic use of force, which would be to the detriment of the prerogatives of the Security Council under the Charter.

In the course of the work on the draft resolution, much attention was paid to the question of ensuring the security of the personnel of the Verification Missions in Kosovo. Russia attaches great importance to this issue, especially since a large number of Russian representatives will be working in the OSCE mission. We are satisfied that the authors of the draft, having overcome their hesitations, have clearly stated in paragraph 9 that, in the event of an emergency, measures to ensure the safety of the Verification Missions, including arrangements for evacuating OSCE personnel, will be undertaken strictly in accordance with the procedure provided for in the agreements signed with Yugoslavia. The clarity introduced on this issue provides guarantees against arbitrary and unsanctioned actions.

Nor can one fail to take account of the possible danger to the implementation of the agreements between the OSCE and the Federal Republic of Yugoslavia as a result of actions by the Kosovar Albanians. We are alarmed by news of their continuing failure to comply with the demands of the Security Council. The Kosovar Albanian leadership still has not publicly condemned terrorism. Fighters in the so-called Kosovo Liberation Army have in recent times greatly increased their provocative activities and, as a rule, this is happening precisely in the regions from which Serbian security forces are being withdrawn. In violation of the arms embargo imposed by Security Council resolution 1160 (1998), illegal weapons continue to reach Kosovo and fighters are infiltrating. This creates a real threat of a new outbreak of violence and tension.

As members know, resolution 1160 (1998) was adopted under Chapter VII of the Charter. The draft resolution before us today also makes reference to that chapter. This serves as a reminder to those who are violating the arms embargo, and in particular the prohibition on supplying outside weapons or assistance to the Kosovo terrorists.

We note that paragraph 15 of the draft resolution makes it clear that the embargo shall not apply to equipment for missions established in accordance with the Belgrade agreements.

Also important is the fact that the draft resolution provides for the parties concerned with the implementation of the Belgrade agreements to report regularly to the Security Council on their activities through the Secretary-General. Here the Secretary-General will take account of input from the Federal Republic of Yugoslavia as well. The Security Council will consider the evolution of the situation on the basis of those reports and assessments by the Secretary-General.

At the same time, the draft resolution does not take fully into account the recent positive changes with respect to Belgrade's implementation of the Council's demands. We cannot agree with the one-sided assertion in the preambular part of the text that the unresolved situation in Kosovo constitutes a continuing threat to peace and security in the region.

We regret that the sponsors of the draft resolution refused to delete the portion of the text relating to freedom of operation of media outlets in the Federal Republic of Yugoslavia. I want everyone to be very clear about our position on this matter: for us, freedom of the press is one of the bases of democracy. It is one of the important elements we have achieved in the course of changing our society, and we value it highly. But questions of freedom of the press lie far beyond the powers of the Security Council, and therefore cannot be the object of a Council resolution, especially one adopted under Chapter VII of the Charter. It is other United Nations organs that consider such matters.

We were ready to continue to work on the draft resolution, but the sponsors hurried to bring it to the vote in its present form, which made it impossible to take our continuing concerns into account. In the circumstances, the Russian delegation will abstain in the vote on the draft resolution.

We are convinced that there are no differences of opinion among members of the Security Council on the strategy for action to achieve a peaceful settlement in Kosovo. That strategy, which precludes the granting of *carte blanche* with respect to the use of force, is reflected in the draft resolution, and we shall not object to its adoption.

We hope that this Council decision will accelerate the implementation of the Belgrade agreements and the dispatch of the OSCE Mission. We also expect the immediate rescission of the NATO decision on the possible use of force, the so-called activation order, which at present remains in force. This is of particular importance with respect to ensuring the safety of OSCE personnel.

In conclusion, I want to reaffirm that Russia will continue to make an active and concrete contribution to the political settlement of the Kosovo problem.

The President: I shall now make a statement in my capacity as the representative of the United Kingdom of Great Britain and Northern Ireland.

Throughout the Kosovo crisis, the Security Council has set out clearly the international community's concerns and requirements. Security Council resolution 1160 (1998) imposed an arms embargo in response to the use of excessive force by Belgrade security forces and to acts of terrorism, and called for the start of a meaningful political dialogue. Security Council resolution 1199 (1998) called for a ceasefire, the withdrawal of security forces used for civilian repression, cooperation with the international monitoring efforts and steps to improve the humanitarian situation. The situation in Kosovo represents a threat to international peace and security in the region and to human rights, and threatens a humanitarian catastrophe of even greater proportions than now. We are again at a critical stage where it is essential that the Security Council spell out clearly what Milosevic and the Kosovo Albanians must do if a regional disaster is to be averted.

The United Kingdom therefore welcomes today's draft resolution, which places the weight of the Security Council behind the commitments made by President Milosevic to comply with Security Council resolutions 1160 (1998) and 1199 (1998) and with the agreements reached with the Organization for Security and Cooperation in Europe (OSCE) and the North Atlantic Treaty Organization (NATO) providing for the establishment of ground and air verification missions.

It is right that these commitments should be enshrined in a mandatory Chapter VII resolution. President Milosevic's history of unfulfilled commitments over the summer, including those he made personally to President Yeltsin on 16 June, means that we cannot rely on his word. It is actions we must watch, and watch closely. And Milosevic must understand that the international community will not let him get away with token gestures or partial implementation.

The United Kingdom welcomes too the readiness of the OSCE and NATO to respond quickly to implement these agreements. In agreeing to these two missions, President Milosevic has accepted that the international community has a significant role to play in resolving the problems of Kosovo. The presence of the missions in and over Kosovo will be essential in helping to restore peace and security and in providing the reassurance sought by those who have fled their homes to return. As winter approaches, it is essential that the displaced return to their villages if a humanitarian disaster is to be averted. This will not happen unless all concerned in Kosovo adhere strictly to the ceasefire. If the civilian population are to have the confidence to return, the Federal Republic of Yugoslavia and Serbian forces must withdraw to their pre-crisis positions, cease the wanton destruction of homes, crops and livestock and abandon their violent intimidation of the civilian population. The OSCE Verification Mission will, through its intrusive mandate, be able to verify that they do and to report back to the international community if they do not.

The United Kingdom is pleased to be playing its part in making these agreements work. We expect to provide 200 members of the OSCE Mission. We will also provide aircraft for the Air Verification Mission over Kosovo. We will be resolute in following up implementation of these agreements and of the resolutions.

It is imperative that the authorities of the Federal Republic of Yugoslavia, the Kosovo Albanian leadership and all others concerned allow the OSCE Verification Mission to do its job. The Federal Republic of Yugoslavia has guaranteed the freedom of movement of the Mission as well as its safety and security. We shall hold it to these guarantees. No one should be in any doubt that we will use to the full our inherent right to protect our nationals if they are in danger, and the right under this draft resolution to take action to ensure their safety and freedom of movement.

No one should have any doubt: Britain will not stand by and watch a humanitarian disaster unfold in Kosovo. We wholeheartedly endorse the demands made in this draft resolution of the Federal Republic of Yugoslavia and the Kosovo Albanian leadership to cooperate with international efforts to prevent this

happening. Again, the United Kingdom is ready to do its share.

This draft resolution and the agreements it endorses also mark the beginning of an accelerated political process. The United Kingdom calls upon the authorities in the Federal Republic of Yugoslavia and the Kosovo Albanian leadership to seize this opportunity to build a new Kosovo based on free elections and the principle of self-government for its people. Failure to do so will not be understood or accepted by the international community. Our message to both sides is, there is a chance for peace, for a better society, for a settled future, for a welcome to Europe and the wider world. Take it.

I now resume my functions as President of the Council.

I shall now put to the vote the draft resolution contained in S/1998/992.

A vote was taken by a show of hands.

In favour:
Bahrain, Brazil, Costa Rica, France, Gabon, Gambia, Japan, Kenya, Portugal, Slovenia, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America

Against:
None

Abstaining:
China, Russian Federation

The President: The result of the voting is as follows: 13 in favour, none against and 2 abstentions. The draft resolution has been adopted as resolution 1203 (1998).

I shall now call on those members of the Council who wish to make statements following the voting.

Mr. Qin Huasun (China) (*interpretation from Chinese*): China welcomes the positive developments on the question of Kosovo, Federal Republic of Yugoslavia. We understand the agreements on the question of Kosovo reached between the Federal Republic of Yugoslavia and the parties concerned and evaluate positively the efforts made by the Government of the Federal Republic of Yugoslavia in alleviating the humanitarian situation in Kosovo and pursuing lasting peace and reconciliation in the region. We are of the view that the international community should try to maintain and promote this momentum towards a peaceful solution of the question of Kosovo.

However, very regrettably, almost at the same time as those agreements were being concluded, a regional organization concerned made the decision to take military actions against the Federal Republic of Yugoslavia and interfere in its internal affairs. More disturbingly, that decision was made unilaterally, without consulting the Security Council or seeking its authorization. Such an irresponsible act is not conducive to the creation of a peaceful atmosphere for dealing with the question of Kosovo and will not help resolve the issue. Furthermore, it has violated the purposes, principles and relevant provisions of the United Nations Charter, as well as international law and widely acknowledged norms governing relations between States. It is a disparagement of and a challenge to the authority of the United Nations and the Security Council and has created an extremely dangerous precedent in international relations. China is gravely concerned about this.

Maintaining the sovereignty and territorial integrity of the Federal Republic of Yugoslavia conforms to the provisions and requirements of the United Nations Charter and is also a shared commitment of the international community. It is on that basis that the question of Kosovo should be resolved. The implementation of the above-mentioned agreements should also proceed on that basis and be completed through full consultation and cooperation with the Federal Republic of Yugoslavia Serbian Government.

In principle, China does not oppose the adoption of a well-focused technical resolution by the Council to endorse the agreements reached between the Federal Republic of Yugoslavia and relevant parties and to encourage peaceful approaches on the question of Kosovo. This is in line with the understandings between the Federal Republic of Yugoslavia and the parties concerned. However, we do not favour the inclusion in the resolution of content beyond the above agreements. We are even more opposed to using Council resolutions to pressure the Federal Republic of Yugoslavia or to interfere in its internal affairs.

The Chinese delegation put forward its amendments during the Council's consultations, among which the request to delete those elements authorizing use of force or threatening to use force was accommodated. We believe that the resolution just adopted does not entail any

authorization to use force or to threaten to use force against the Federal Republic of Yugoslavia, nor should it in any way be interpreted as authorizing the use of force or threatening to use force against the Federal Republic of Yugoslavia.

Nonetheless, the resolution just adopted still contains some elements beyond the agreements reached between the Federal Republic of Yugoslavia and parties concerned, including reference to Chapter VII of the Charter and elements of interference in the internal affairs of the Federal Republic of Yugoslavia. To our deep regret, our amendments concerning these questions were not accommodated. Therefore, the Chinese delegation abstained in the voting on the resolution.

Mr. Burleigh (United States of America): In our vote today we have taken an important step forward in the search for peace in Kosovo. The agreements which the Security Council has endorsed were negotiated by representatives of the Contact Group and signed by the Organization for Security and Cooperation in Europe (OSCE) and the North Atlantic Treaty Organization (NATO) in the hope that their full implementation, including full compliance by Belgrade, would create an environment in which a peaceful solution could be found.

For too long the voices of reason and moderation in Kosovo have been muffled by repressive political, military and police actions and by those who advocate violence and the use of force over negotiation. Recently, Belgrade has taken steps to silence the independent media, further depriving the people of the Federal Republic of Yugoslavia of the capacity to make their own judgements about events in Kosovo and to accurately assess the actions of their leaders. In this context, we regret that not all members of the Council were able to support this resolution, and in particular its language about the importance of free media to a peaceful resolution of the Kosovo crisis.

The resolution we have adopted demands swift and full compliance by Belgrade with resolutions 1160 (1998) and 1199 (1998) and full cooperation with the OSCE and NATO Verification Missions. It also demands such compliance by the Kosovo Albanians with those resolutions and with the OSCE Verification Mission. We believe this is key to the creation of a climate of trust, which is indispensable to the return of refugees and displaced persons.

The investigations of the International Criminal Tribunal for the Former Yugoslavia into Kosovo are essential to restoring peace and security and must continue with the cooperation of everyone. The Tribunal's jurisdiction over Kosovo was established in resolution 827 (1993) of 25 May 1993 and has been reaffirmed by the Council, most recently in today's resolution. The Council has long been on record as demanding full cooperation with all of the Tribunal's orders, requests for information and investigations.

We must acknowledge that a credible threat of force was key to achieving the OSCE and NATO agreements and remains key to ensuring their full implementation. In addition, no party should be under the misapprehension that it can take any action that would hinder or endanger international verifiers or the personnel of humanitarian organizations.

The NATO allies, in agreeing on 13 October to the use of force, made it clear that they had the authority, the will and the means to resolve this issue. We retain that authority. We will not tolerate the continued violence that has resulted in nearly a quarter of a million refugees and displaced persons and thousands of deaths, and has jeopardized the prospects for peace in the wider Balkans. We reiterate that primary responsibility for the current crisis lies with Belgrade, although we expect full compliance by all parties.

The authorities in Belgrade and the Kosovo Albanians must now take full advantage of the opportunities being created. Neither violence nor repression can achieve a durable settlement. The crisis in Kosovo can and should be resolved through peaceful dialogue and negotiation. A foundation for a settlement now has been laid through the political discussions and shuttle diplomacy endorsed by the Contact Group. All that is required is the political will to move ahead. In our view, that is the only answer. The alternative is more of the same — a constant state of conflict, suffering and growing bitterness, which serves only to threaten peace and stability in the wider Balkan region and beyond.

Mr. Dejammet (France) (*interpretation from French*): The Security Council has been seized of the question of Kosovo, Federal Republic of Yugoslavia, which poses a threat to international peace and security, and it adopted successively resolutions 1160 (1998) and 1199 (1998). In implementation of those resolutions, agreements were concluded between the Government of Belgrade and the Organization for Security and Cooperation in Europe on the one hand and the North Atlantic Treaty Organization on the other.

The States that constitute what is known as the Contact Group recently met and unanimously expressed their determination that those agreements should be implemented. As provided in the agreements, they concluded on an urgent basis a new Security Council resolution in order to endorse the agreements and therefore all of the provisions established in order to set in train the mechanism for verification and implementation.

The way is open to a peaceful settlement to the question of Kosovo, but vigilance and commitment on the part of all will be required. On the basis of resolution 1199 (1998), it is therefore incumbent upon the Security Council, in the exercise of its primary responsibility for the maintenance of international peace and security, to take the necessary decision. That is the objective of the resolution just adopted.

The Council affirms that the unresolved situation in Kosovo, Federal Republic of Yugoslavia, constitutes a threat to peace and security in the region and that it is therefore acting under Chapter VII of the Charter. It endorses the agreements signed in Belgrade and demands their full and prompt implementation by the Federal Republic of Yugoslavia.

The members of the Council are acting on the basis of experience. Aware of the dangers and the threats, which they witnessed in Bosnia and Herzegovina, they do not want any recurrence of the violations of the safety and security of those who, on the ground in a dangerous environment, are entrusted with the verification and implementation of the agreements.

The Council therefore welcomes the commitment of the Federal Republic of Yugoslavia to guarantee the security of the Verification Missions, but it affirms that, in the event of an emergency, action may be necessary to ensure the Missions' safety and freedom of movement, as envisaged in the agreements signed in Belgrade. This affirmation on the part of the Council is welcome.

The provisions established by this resolution are in the service of peace. The objective of each and all is a peaceful settlement. The Council's decision supports the persistent efforts of the negotiators and confers authority upon them to persuade all of the parties and to contribute to restoring peace and security in the region.

France therefore voted in favour of this resolution.

The President: The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The Security Council will remain seized of the matter.

The meeting rose at 5.55 p.m.

United Nations S/PV.3938

Security Council

Fifty-third Year

Provisional

3938th Meeting

Friday, 30 October 1998, 1.55 p.m.

New York

President:	Sir Jeremy Greenstock	(United Kingdom)
Members:	Bahrain	Mr. Al-Dosari
	Brazil	Mr. Cordeiro
	China	Mr. Liu Jieyi
	Costa Rica	Mr. Sáenz Biolley
	France	Mr. Teixeira da Silva
	Gabon	Mr. Dangue Réwaka
	Gambia	Mr. Jagne
	Japan	Mr. Otaka
	Kenya	Mr. Mahugu
	Portugal	Ms. Gomes
	Russian Federation	Mr. Zaemsky
	Slovenia	Mr. Lenarčič
	Sweden	Mr. Skoog
	United States of America	Mr. Burleigh

Agenda

The situation concerning Western Sahara

Report of the Secretary-General on the situation concerning Western Sahara (S/1998/997)

98-86260 (E)

This record contains the original text of speeches delivered in English and interpretations of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to original speeches only. They should be incorporated in a copy of the record and be sent under the signature of a member of the delegation concerned, *within one week of the date of publication*, to the Chief of the Verbatim Reporting Service, room C-178.

The meeting was called to order at 1.55 p.m.

Adoption of the agenda

The agenda was adopted.

The situation in Western Sahara

Report of the Secretary-General on the situation concerning Western Sahara (S/1998/997)

The President: The Security Council will now begin its consideration of the item on its agenda.

The Security Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them the report of the Secretary-General on the situation concerning Western Sahara, document S/1998/997.

Members of the Council also have before them document S/1998/1011, which contains the text of a draft resolution prepared in the course of the Council's prior consultations.

Members of the Council have received photocopies of a letter dated 30 October 1998 from the Permanent Representative of Morocco to the United Nations addressed to the President of the Security Council, which will be issued as a document of the Security Council under the symbol S/1998/1014.

It is my understanding that the Security Council is ready to proceed to the vote on the draft resolution (S/1998/1011) before it. If I hear no objection, I shall put the draft resolution to the vote now.

There being no objection, it is so decided.

A vote was taken by show of hands.

In favour:

Bahrain, Brazil, China, Costa Rica, France, Gabon, Gambia, Japan, Kenya, Portugal, Russian Federation, Slovenia, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America

The President: There were 15 votes in favour. The draft resolution has been adopted unanimously as resolution 1204 (1998).

The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 2 p.m.